

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
OCTOBER 4, 1978

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m., Wednesday, October 4, 1978 in the City Hall Council Chambers.

ROLL CALL	<p>Present: Councilmen - Katnich, Katzakian, McCarty and Pinkerton (Mayor)</p> <p>Absent: Councilmen - Hughes</p> <p>Also Present: City Manager Glaves, Assistant City Manager Glenn, Community Development Director Schroeder, Public Works Director Ronsko, City Attorney Mullen, and City Clerk Reimche.</p>
INVOCATION	The invocation was given by Mayor Pro Tempore Katzakian.
PLEDGE	Mayor Pinkerton led the Pledge of Allegiance to the flag.
MINUTES	On motion of Councilman Katzakian, Katnich second, Council approved the Minutes of September 6, 1978 as written and mailed.
PROCLAMATION	Mayor Pinkerton proclaimed the month of October 1978 as "International Toastmistress Month" and presented the Proclamation to Mrs. Violet Stenson.
PUBLIC HEARINGS	
<p>PARCEL AT N/W CORNER OF N. PLEASANT AVE. & W. LOCUST ST. REZONED FROM R-HD TO C-P</p> <p>ORD. NO. 1159 INTRO.</p>	<p>Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor Pinkerton called for the Public Hearing to consider the City Planning Commission's recommendation for approval of the request of Mr. Irvin Bender to rezone the parcel at the northwest corner of North Pleasant Avenue and West Locust Street (i.e., 301 West Locust Street) from R-HD, High Density Multiple Family Residential to C-P, Commercial-Professional.</p> <p>The matter was introduced by Community Development Director Schroeder, who also presented a diagram of the subject area for Council's perusal.</p> <p>The following person who was in the audience addressed the Council speaking on behalf of the proposed rezoning:</p>

Minutes of October 4, 1978, continued

PARCEL AT N/W
CORNER OF N.
PLEASANT AVE.
& W. LOCUST ST.
REZONED FROM
R-HD TO C-P

a) Mr. Irvin Bender, 301 W. Locust Street, Lodi stated that he wished to sell the subject parcel and felt that its resale potential would be much greater with the proposed rezoning.

There being no other persons in the audience wishing to speak on the matter, the public portion of the hearing was closed.

ORD. NO. 1159
INTRO. (Cont'd)

Discussion followed with questions being directed to Staff and to Mr. Bender.

Councilman Katzakian then introduced Ordinance No. 1159 rezoning the parcel at the northwest corner of North Pleasant Avenue and West Locust Street (i.e., 301 West Locust Street) from R-HD, High Density Multiple Family Residential to C-P, Commercial-Professional.

The motion was seconded by Councilman Katnich and carried by the following vote:

Ayes: Councilmen - Katnich, Katzakian,
McCarty and Pinkerton

Noes: Councilmen - None

Absent: Councilmen - Hughes

PLANNING
COMMISSION

The City Manager gave the following report of the Planning Commission meeting of September 25, 1978:

The Planning Commission -

REZONE
PARCEL AT
427 W. OAK ST.
FROM R-HD TO
C-P

Recommended approval of the request of Mr. Robert Kidd on behalf of Mr. Vernon Kuhl to rezone the parcel at 427 West Oak Street from R-HD, High Density Multiple Family Residential to C-P, Commercial-Professional.

On motion of Councilman Katnich, Katzakian second, the matter was set for Public Hearing on October 18, 1978.

The Planning Commission also -

REZONE 216 &
220 W. LOCUST
FROM R-HD TO
C-2 & 300 W.
LOCUST & 207 N.
PLEASANT FROM
R-HD TO C-P

Recommended approval of action initiated by the Planning Commission to rezone 216 and 220 West Locust Street from R-HD, High Density Multiple Family Residential to C-2, General Commercial and 300 West Locust Street and a portion of 207 North Pleasant Street from R-HD to C-P, Commercial Professional.

On motion of Councilman Katzakian, Katnich second, the matter was set for Public Hearing October 18, 1978.

ITEMS OF
INTEREST

The Planning Commission also -

1. Approved the request of Mr. Gene G. Walton, Trustee for Ray's Children's Trust "B" for Variances

ITEMS OF
INTEREST
(Cont'd.)

to reduce the northern side yard from 5 feet to 1 foot; to reduce the southern side yard from 5 feet to 4 feet; and the planters adjacent to required off-street parking from 5 feet to 4 feet-6 inches to permit the addition of 6 additional dwelling units to the existing single-family units at 935 and 939 Wellwood Avenue in an area zoned R-MD, Medium Density Multiple Family Residential.

2. Approved the Palmer Minor Subdivision, a 2-parcel, 5.51 acre tract on the south side of West Kettleman Lane, east of South Hutchins Street in the Vineyard Shopping Center in an area zoned P-D(15), Planned Development District No. 15.

3. Approved the request of Lodi Unified School District request for the approval of a Parcel Map to create three parcels for sale for residential purposes on the west and north sides of Millswood Middle School site which is located on the west side of North Mills Avenue at West Lockeford Street.

COMMUNICATIONS

PUBLIC HEARING
BEFORE BD. OF
SUPERVISORS RE
REZONING & EN-
LARGEMENT OF
AGRICULTURE
PRESERVE
NO. R-72-CIC(1)

City Clerk Reimche apprised the City Council of a Notice of Public Hearing before the Board of Supervisors of San Joaquin County to amend Uniform Zoning Ordinance No. 850, as amended, which had been received. This is concerning the rezoning of property located on the N.E. corner of Lower Sacramento Road and State Route 12, extending to the Lodi City Limits to the East, Southwest of Lodi, and enlargement of Agricultural Preserve No. R-72-CIC (1) to be held October 19, 1978.

SENATE
CONCURRENT
RES. NO. 91

City Clerk Reimche also apprised the Council that a copy of Senate Concurrent Resolution No. 91 relative to Fire Prevention Planning had been forwarded to the City by the Secretary of the Senate.

LAFCO HEARING
RE LOBAUGH
SOUTH
REORGANIZATION

Council was informed that a Notice had been received from LAFCO that a public hearing will be conducted Friday, October 20, 1978 on the proposed Lobough South Reorganization to the City of Lodi.

Community Development Director Schroeder advised the Council that the Executive Officer of LAFCO was in receipt of a letter from Ward H. Cramer stating that due to the unsolved drainage problems affecting the above proposed annexation, they are asking for a two month continuance of the hearing.

ABC LICENSE

City Clerk Reimche presented an application which had been received for Alcoholic Beverage License for Anthony D. and Terry G. Piazza, "Rivergate Liquor", S. W. corner of Sacramento Street and Turner Road, Off Sale General, Person to Person, Premises to Premises transfer.

CLAIM

The City Clerk presented a claim filed on behalf of Vernon Shelley showing a loss date of June 5, 1978.

On motion of Councilman Katzakian, Pinkerton second, the claim was rejected and Council referred the matter to the City's Contract Administrator.

COMMUNICATIONS
(Cont'd.)

RESPONSE FROM
LABOR DEPT. ON
LODI
RESOLUTION

Mayor Pinkerton presented a letter received from Senator S. I. Hayakawa to which was enclosed a reply he had received from the Department of Labor in response to his inquiry on behalf of Mayor Pinkerton which reads in part as follows:

"We are pleased to note the Resolution passed by the City Council of the City of Lodi requiring that all items purchased for use in City projects be produced in facilities where workers are paid wages no less than the Federal minimum wage. It is also gratifying to see that the City Council realizes that the intent of the Fair Labor Standards Act (the Federal minimum wage law) is to insure a minimum standard of living necessary for the health, efficiency, and general well-being of workers. We appreciate the opportunity to learn of the City of Lodi's views and actions regarding this matter.

EXTENSION OF
SOFT ROCK
CONCERT
APPROVED

Following introduction of the matter by City Manager Graves, Mr. Mark Baggett of the First American Musicorporation addressed the Council confirming that the proposed soft rock concert to be held in the Stadium has now been rescheduled for October 28, 1978.

Mr. Baggett outlined the program being formulated for the concert to be known as "the day on the grape". Mr. Baggett further related that they expect to sell 22,000 tickets for the concert.

Mr. Baggett then responded to questions posed by the Council and concluded his remarks with an expression of appreciation to the City Council.

On motion of Councilman Katnich, Katzakian second, Council granted an extension to the First American Musicorporation to October 28, 1978 the right to use the property commonly known as the Lodi Grape Bowl for a "Soft" Rock Concert.

REPORTS OF THE
CITY MANAGER

In accordance with the report and recommendation of the City Manager, the following actions hereby set forth between asterisks, on motion of Councilman Katnich, Katzakian second, were approved by Council.

CONSENT
CALENDAR

CLAIMS

CLAIMS WERE APPROVED IN THE AMOUNT OF \$1,414,015.15.

SPECS FOR LANE
LINE PAINTING
APPROVED

COUNCIL APPROVED THE SPECIFICATIONS FOR LANE LINE PAINTING AND AUTHORIZED THE PURCHASING AGENT TO ADVERTISE FOR BIDS THEREON.

SPECS FOR 3/4 TON
PICKUP TRUCK
APPROVED

COUNCIL APPROVED SPECIFICATIONS FOR ONE 3/4 TON PICKUP TRUCK WITH KOENIG SERVICE BODY AND TM-3 HYDRAULIC GATE VALVE OPERATOR AND AUTHORIZED THE PURCHASING AGENT TO ADVERTISE FOR BIDS THEREON.

AWARD-CONTRACT
FOR DEMOLITION-
OLD SEWER PLANT

City Manager Graves presented the following bids which had been received for the contract for "Demolition - Old Sewer Plant":

RES. NO. 78-135	<u>BIDDER</u>	<u>AMOUNT</u>
	ICONCO	\$54,300.00
	Penhall Co.	\$56,974.00
	West Coast Building Wrecking, Inc.	\$63,000.00
	Cleveland Wrecking Co.	\$64,940.00
	Z Machinery Co.	\$67,000.00
	Heim Brothers, Inc.	\$70,000.00
	World Enterprises	\$72,724.00
	Burke Oilfield Construction	\$79,600.00
	P & P Wrecking, Inc.	\$86,440.00

On recommendation of City Manager Graves, Council adopted the following resolution:

RESOLUTION NO. 78-135

RESOLUTION AWARING THE CONTRACT FOR "DEMOLITION - OLD SEWER PLANT" TO ICONCO, THE LOW BIDDER, IN THE AMOUNT OF \$54,300.00.

HAM LANE MEDIAN
LANDSCAPING BID
REJECTED

City Manager Graves apprised the Council that only one bid had been received for "Ham Lane Median Landscaping" as follows:

<u>BIDDER</u>	<u>AMOUNT</u>
Singh's Landscaping	\$7,774.00

City Manager Graves recommended that inasmuch as only one bid was received and that it far exceeded the engineer's estimate, that the bid be rejected and the project be reevaluated.

On motion of Councilman Katnich, Katzakian second, Council rejected the sole bid received for the "Ham Lane Median Landscaping" and directed that the project be reevaluated.

HANSEN INDUSTRIAL
PARK

The City Manager presented for Council approval, the final map, the improvement plans, and the improvement security for Tract No. 1300 - Hansen Industrial Park. Council was apprised that this is a subdivision of 7.7 acres lying North of Lodi

HANSEN
INDUSTRIAL
PARK (Cont'd)

Avenue and west of the freeway. This subdivision is zoned M-1 and contains 11 industrial lots. The developer, Henry Hansen, has completed all the requirements specified by the Planning Commission in the approval of the tentative map on September 12, 1977.

Following discussion with questions being directed to Staff, on motion of Councilman Katnich, Katzakian second, Council established the following findings for the Hansen/Industrial Park Subdivision:

1. that the proposed Tentative Map is consistent with the Adopted Land Use-Circulation, Open Space-Conservation and Interim Housing Elements;
2. that the approval of the Tentative Map will not adversely affect an area of concern which the proposed Safety, Seismic Safety and Noise Elements, as specified in the State General Plan Guidelines, are intended to mitigate;
3. that the design and improvement of Industrial Way Business Park is consistent with the Adopted Elements of the General Plan and does not adversely affect an area of concern which the proposed elements are intended to mitigate;
4. that the site is physically suited for the proposed density of development;
5. that the site is physically suited for the proposed type development;
6. that the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially or avoidably injure fish or wildlife or their habitat;
7. that the design of the subdivision or the type of improvements is not likely to cause serious public health problems; and
8. that the design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the subdivision.

On motion of Councilman Katzakian, Pinkerton second, Council approved the final map, the improvement plans, and the improvement security for Tract No. 1300 - Hansen Industrial Park, and directed the City Manager to sign the Subdivision Agreement on behalf of the City.

CONTRACT WITH
LODI UNIFIED
SCHOOL DISTRICT
FOR USE OF
STADIUM FOR
SCHOOL ACTIVITIES
APPRVD.

RES. NO. 78-136

Following introduction of the matter by City Manager Graves, Council, on motion of Councilman Katzakian, Katnich second, adopted Resolution No. 78-136 approving a contract between the City of Lodi and the Lodi Unified School District of San Joaquin County for the School District's use of the Stadium for school activities for the 1978-79 school year with the same terms and conditions as contained in the contract for the 1977-78 school year.

REVENUE FROM
CITY ACCOUNTS
1978 VERSUS 1977

City Manager Graves apprised the City Council that at its regular meeting of September 6, 1978 the question of 1978 versus 1977 revenue from City accounts was raised by Councilman Hughes. In response to that inquiry, City Manager Graves informed the Council that revenue from City accounts for July 1978 was \$45,060 as compared to 1977 revenue from the same accounts of \$29,815, or an increase of \$15,245. Three major transactions account for this difference:

- (1) \$8,588 of electric usage at the White Slough Sewage Treatment Plant was not billed in July 1977 due to a change in the meters at that location, which was corrected and billed to the proper City account in November 1977.
- (2) Construction of the addition at the White Slough Plant was not completed until August 1977, and the additional electrical usage with the new plant in operation in 1978 was \$3,021.
- (3) Water production increased considerably in 1978 amounting to \$4,221 additional electric consumption.

August 1978 revenue from City accounts exceeded the corresponding month last year by \$10,579. This change is due to \$10,687 of revenue from the White Slough Sewage Treatment Plant not being billed until November 1977 due to the metering change at the White Slough Plant.

ANTI-RECESSION
FUNDS

City Manager Graves introduced Agenda Item "i" advising the Council that with the adoption of the 1978-79 Budget, the City Council appropriated \$47,810.00 of Anti-Recession Funds to pay the costs of Unemployment Insurance and cover a portion of the salaries for the four police officers added in October 1977. The City's records show a balance of \$70,632.31 in the Anti-Recession Fund as a result of the last two entitlements and appropriated funds unspent. The unexpended funds were for the replacement of the boiler in the Public Safety Building, security system for the MSC and adjustments to the Industrial Outfall Line. The boiler repair costs far exceeded the original estimates and new expenditure restrictions on Anti-Recession Funds preclude the use of these funds for that project. The same concern about eligibility of expenditure resulted in the City Manager recommending that the Council reappropriate these restricted funds as follows:

Salaries for 4 Police Officers added in 1977:

4 Officers 12 Months:	\$52,724.00	
Previous Appropriation:	<u>\$20,280.00</u>	
	\$32,444.00	\$32,444.00
Books and periodicals for Library		24,651.00
Employee Medical & Dental Benefits		<u>13,537.31</u>
		\$70,632.31

ANTI
RECESSION
FUNDS
(Cont'd.)

On motion of Councilman Katzakian, Katnich second, Council appropriated Anti-Recession Funds as recommended by City Manager Graves and heretofore listed.

AWARD-BID
FOR PORTABLE
AIR
COMPRESSOR

City Manager Graves presented the bids which had been received for a portable air compressor as follows:

	<u>BIDDER</u>	<u>AMOUNT</u>
RES. NO.78-137	Ingersoll-Rand Corp.	\$10,750.52
	Air Pacific Co.	\$11,606.83

Public Works Director Ronsko advised the Council that the low bid received from Ingersoll-Rand Equipment Corporation on a 185 Model did not meet the City's specifications on the following items:

- a. Requested a balanced tongue weight of 100 pounds or less; their weight is set at 215 pounds.
- b. Draw bar to be equipped with a hand crank front jack; their compressor has the third wheel only.
- c. The City's specifications required a carbon monoxide detector (to supply air for a hood used while sand blasting as per State Industrial Safety Orders); their bid deleted this item and they do not wish to supply any detector model.

It was pointed out that the nearest distributor for the Ingersoll-Rand compressor is in San Leandro and their method of service is to send one of their service trucks out into the field to make repairs as needed.

City Manager Graves recommended that the award be made to Air Pacific Company of Lodi.

On motion of Councilman Katnich, Katzakian second, Council adopted Resolution No. 78-137 awarding the bid for the Street Division Air Compressor to Air Pacific in the amount of \$11,606.83, which includes trade-in and sales tax.

SPECIAL
ALLOCATION
APPROVED

Further, on motion of Councilman Katnich, Katzakian second, Council approved a Special Allocation in the amount of \$2,280.00, the amount by which the Air Pacific Company bid of \$11,606.83 exceeded the approved 1978-79 Budget for this piece of equipment.

RECRUITMENT
FOR FOUR CITY
POSITIONS
AUTHORIZED

Following introduction of the matter by City Manager Graves, Council, on motion of Councilman Katzakian, Katnich second, authorized the recruitment for the following vacant positions:

- a) 2-Park Maintenance Worker II
- b) 1-Associate Civil Engineer
- c) 1-Maintenance Worker II - Street Division

AGREEMENTS FOR
MERVYN'S 500-630
W. KETTLEMAN
LANE APPROVED

City Manager Graves presented for Council approval the Development Agreement, the Electrical Utility Agreement and the improvement securities for the Mervyn's development at 500 - 630 West Kettleman Lane (corner of Kettleman Lane and Hutchins Street). Council was advised that the developer of this parcel has provided the City with the necessary agreements, bonds, easement, and the development fees for the proposed development.

On motion of Councilman Katnich, Katzakian second, Council approved the Development Agreement, the Electrical Utility Agreement, and the improvement securities for the Mervyn's Development at 500 - 630 West Kettleman Lane and authorized the City Manager to execute the documents on behalf of the City.

GOOD WISHES
EXTENDED TO
PAM HENDRICKS,
LODI LIFE & TIMES
REPORTER

Mayor Pinkerton announced that Pam Hendricks, Reporter for the Lodi Life and Times, would be leaving the community and her job and that Jim Brunson would be her replacement on the Lodi Life and Times staff. Expressions of appreciation and good wishes were extended to Mrs. Hendricks.

ORDINANCES

PERMIT PARKING
ON DESIGNATED
STREETS

ORD. NO. 1158
ADOPTED

Ordinance No. 1158 - entitled "An Ordinance Amending Lodi City Code Chapter 14, 'Motor Vehicles and Traffic' by adding a new section thereto relating to permit parking on designated streets" having been introduced at a regular meeting held September 20, 1978 was brought up for passage on motion of Councilman Katzakian, Katnich second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted, and ordered to print by the following vote:

Ayes: Councilmen - Katnich, Katzakian, McCarty
and Pinkerton

Noes: Councilmen - None

Absent: Councilmen - Hughes

ADJOURNMENT

There being no further business to come before the Council, Mayor Pinkerton adjourned the meeting at approximately 8:45 p.m.

Attest:

Alice M. Reimche
- ALICE M. REIMCHE
- CITY CLERK